

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ NOV 20 2012 ★

BROOKLYN OFFICE

-----X
PHILLIP MILLER,

Plaintiff,

v.

MEMORANDUM & ORDER
12-CV-2965 (MKB) (LB)

CITY OF NEW YORK and NYPD P.O. MERU,
(Tax Registry # 947249)

Defendants.
-----X

MARGO K. BRODIE, United States District Judge:

Plaintiff Phillip Miller proceeding *pro se* filed the above-captioned action on June 12, 2012 pursuant to 42 U.S.C. § 1983. After Plaintiff failed to appear for a mandatory in-court conference, Magistrate Judge Bloom rescheduled the conference and ordered Plaintiff to show cause for his failure to appear. (Docket No. 12.) Magistrate Judge Bloom explicitly warned Plaintiff that if he failed to appear for the rescheduled conference, she would recommend that the case be dismissed. (*Id.*) Plaintiff did not appear for the rescheduled hearing, nor did he contact Magistrate Judge Bloom or Defendants' counsel prior to the conference to request an adjournment. On October 26, 2012, Magistrate Judge Bloom filed a Report & Recommendation ("R&R"), recommending that Plaintiff's Complaint be dismissed pursuant to Rules 16(f) and 37(b)(2)(A)(v) of the Federal Rules of Civil Procedure, due to Plaintiff's repeated failure to comply with court orders. No objections were filed. This Court has reviewed the unopposed R&R, and, finding no clear error, the Court adopts Magistrate Judge Bloom's R&R pursuant to

28 U.S.C. § 636(b)(1). Plaintiff's complaint is dismissed. The Clerk of Court is directed to close the case.

SO ORDERED:

/S/ Judge Margo K. Brodie

~~MARGO K. BRODIE~~

United States District Judge

Dated: November 20, 2012
Brooklyn, New York